

Approved:

  
MITZI S. STEINER  
Assistant United States Attorney

Before: THE HONORABLE STEWART D. AARON  
United States Magistrate Judge  
Southern District of New York

X 19 MAG 11 1950

UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violations of 8 U.S.C.  
SS 1326(a) & (b) (2)

RAMON ANTONIO MENDEZ-URENA, :  
a/k/a "Hector Melendez-Lopez," :  
a/k/a "Carlos Roman," :  
a/k/a "Carlos Ruben Rosado-Roman," : COUNTY OF OFFENSE:  
BRONX

Defendant. :

X

SOUTHERN DISTRICT OF NEW YORK, ss.:

FABIO ARROYAVE, being duly sworn, deposes and says that he is a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement, and charges as follows:

COUNT ONE

1. From at least on or about November 20, 2019, in the Southern District of New York, RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez," a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, being an alien, unlawfully did enter, and was found in, the United States, after having been removed from the United States subsequent to a conviction for the commission of an aggravated felony, without having obtained the express consent of the Attorney General of the United States or his successor, the Secretary for the Department of Homeland Security, to reapply for admission.

(Title 8, United States Code, Sections 1326(a) & (b) (2).)

The bases for my knowledge and the foregoing charge are, in part, as follows:

2. I am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), assigned to the United States Marshals Service Fugitive Task Force, and I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with law enforcement agents and others and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. From my review of the records maintained by ICE regarding RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez," a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, I have learned, among other things, the following:

a. MENDEZ-URENA is a native and citizen of the Dominican Republic. MENDEZ-URENA is not and has never been a citizen of the United States.

b. On or about January 6, 2016, MENDEZ-URENA was arrested by the New York City Police Department ("NYPD"). The NYPD took MENDEZ-URENA's fingerprints incident to his arrest.

c. On or about July 6, 2016, MENDEZ-URENA was convicted in the Southern District of New York for an aggravated felony. Specifically, he was convicted of Conspiracy to Distribute Heroin, in violation of Title 21 United States Code, Sections 846 and 841(b)(1)(C). MENDEZ-URENA was sentenced principally to a term of incarceration of 21 months.

d. On or about August 17, 2017, MENDEZ-URENA was removed from the United States pursuant to an administrative order, which was entered on or about June 15, 2017. MENDEZ-URENA's fingerprints were taken on this date, prior to his deportation.

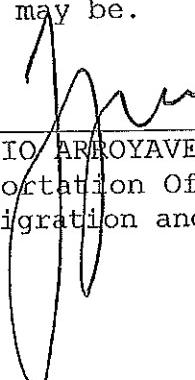
4. Based on my review of the criminal history record for RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez,"

a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, I have learned, in substance and in part, that on or about November 20, 2019, MENDEZ-URENA was arrested in Bronx, New York for the criminal sale of a controlled substance in the first degree, a felony, in violation of New York State Penal Law 220.43. The NYPD took MENDEZ-URENA's fingerprints incident to his arrest.

5. Based on my review of a fingerprint comparison report prepared by another law enforcement official, I have learned, in substance and in part, that the fingerprints the NYPD took from RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez," a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, on or about November 20, 2019, match the fingerprints taken from MENDEZ-URENA on or about August 17, 2017, at the time of MENDEZ-URENA's prior deportation, and the fingerprints taken from MENDEZ-URENA on or about January 6, 2016, at the time of MENDEZ-URENA's prior arrest that resulted in his conviction for an aggravated felony.

6. A search of all relevant Department of Homeland Security indices has confirmed that, following his removal from the United States on or about June 15, 2017, RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez," a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, never obtained the express consent of the Attorney General of the United States, or the Secretary for the Department of Homeland Security, to reapply for admission to the United States.

WHEREFORE the deponent requests that a warrant be issued for the arrest of RAMON ANTONIO MENDEZ-URENA, a/k/a "Hector Melendez-Lopez," a/k/a "Carlos Roman," a/k/a "Carlos Ruben Rosado-Roman," the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

  
FABIO ARROYAVE  
Deportation Officer  
Immigration and Customs Enforcement

Sworn to before me this  
23rd day of December 2019

  
THE HONORABLE STEWART D. AARON  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK